

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

David G. GRIER et al.

Application No.: 10/605,319

Filed: September 22, 2003

Confirmation No.: 2318



Group Art Unit: 2872

Examiner: LAVARIAS, Arnel C.

Atty Dkt No: 71480.00011

Customer No.: 35161

For: APPARATUS FOR APPLYING OPTICAL GRADIENT FORCES

**SUBMISSION OF TERMINAL DISCLAIMERS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

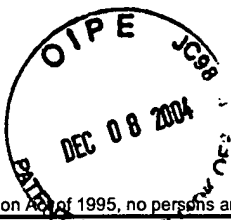
In response to the Non-Final Office Action dated June 17, 2004, Applicants submit the attached four (4) Terminal Disclaimers to obviate the provisional double patenting rejections over prior patents 6,416,190, 6,737,634, 6,055,106, and 6,626,546. Additionally, Applicants submit one (1) Terminal Disclaimer to obviate the provisional double patenting rejection over pending application 10/210,519. The Examiner is respectfully requested to acknowledge receipt of these Terminal Disclaimers.

The statutory fee of \$275.00 (small entity) is attached via credit card authorization. The Commissioner is directed and authorized to charge any additional fees or any underpayment of fees which may be required to maintain the pendency of this case or credit any overpayment to Deposit Account No. 04-1061. A duplicate copy of this paper is attached.

Respectfully submitted,

Jean C. Edwards  
Jean C. Edwards  
Registration No. 41,728

DICKINSON WRIGHT PLLC  
1901 L Street NW  
Suite 800  
Washington DC 20036-3506  
Telephone: 202-659-6946  
Facsimile: 202-659-1559  
**Date: December 8, 2004**  
DC 71480-11 98268

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

71480.00011

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The owner\*, ARCH DEVELOPMENT CORPORATION, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,416,190 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 41,728

12/09/2004 HVUONG1 00000139 041061 10605319

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Jean C. Edwards

Signature

December 8, 2004

Date

Jean C. Edwards, Esq.

Typed or printed name

202-659-6946

Telephone Number

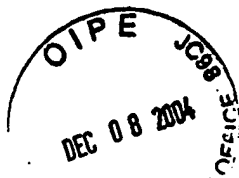
- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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PTO/SB/26 (09-04)

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Jean C. Edwards  
Signature

December 8, 2004  
Date

Jean C. Edwards, Esq.  
Typed or printed name

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202-659-6946  
Telephone Number

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 41,728

Juan C. Edwards  
Signature

December 8, 2004  
Date

Jean C. Edwards, Esq.  
Typed or printed name

12/09/2004 HVUONG1 00000139 041061 10605319

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202-659-6946  
Telephone Number

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Jean C. Edwards  
Signature

December 8, 2004  
Date

Jean C. Edwards, Esq.  
Typed or printed name

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
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Docket Number (Optional)

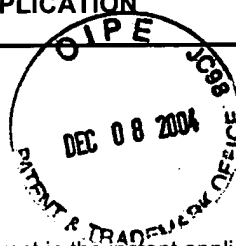
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2. ☒ The undersigned is an attorney or agent of record.

*Jean C. Edwards*

12/08/2004

Signature

Date

Jean C. Edwards, Esq.

Typed or printed name

Telephone Number

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